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C O N F I D E N T I A L SECTION 01 OF 02 TEGUCIGALPA 000910

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DEPT FOR WHA/CEN

E.O. 12958: DECL: 09/30/2018

TAGS: [PGOV](#) [PREL](#) [CASC](#) [ASEC](#) [SNAR](#) [HO](#)

SUBJECT: AMBASSADOR LLORENS MEETING WITH HONDURAN ATTORNEY
GENERAL ROSA BAUTISTA

Classified By: Ambassador Hugo Llorens, reasons 1.4 (b & d)

¶1. (SBU) Summary: The Ambassador paid a courtesy call on Attorney General Leonidas Rosa Bautista on September 29 where they discussed USG support for the Public Ministry in efforts to improve the security climate in Honduras. The Attorney General provided an outline of his plans for the final six months of his tenure, including his hope to strengthen the long-term stability of the institution and improve collaboration between the three arms of the Honduran justice system (police, prosecutors and courts) and with civil society. He highlighted recent successful cooperation with the USG on counter-narcotics efforts, and noted his proposal to create a new special prosecutor for crimes against humanity.⁸ The Ambassador emphasized the importance of investigating and prosecuting crimes against American citizens, and noted the creation of a special prosecutor dedicated to that work would provide the necessary stability to the task force currently in place (Unidad de Causas de Ciudadanos Extranjeros). End Summary.

¶2. (SBU) The Ambassador, accompanied by the Consul General, opened the meeting at the Public Ministry by noting the long-standing collaboration between the USG and the Attorney General (AG) on a wide range of rule of law issues and numerous specific law enforcement cases. He emphasized that the core mission of any U.S. Embassy was the protection of American citizens, and he was grateful for the AG,s support of the Honduran task force dedicated to investigating and prosecuting crimes against foreigners. The Ambassador said that providing institutional stability to the task force, perhaps via creation of a special prosecutor for crimes against foreigners, would allow the task force to continue its work beyond the end of the AG,s tenure. The Consul General noted the importance of collaboration between the various prosecutors involved in handling crimes against Americans, citing a recent example where such communication was lacking, leading to the release of the alleged murderer of an American. The Ambassador also raised the Embassy,s continued willingness to provide technical, investigative and, through the Merida Initiative, funding and resource support to the Public Ministry.

¶3. (SBU) The AG provided an overview of the main challenges

facing the Public Ministry, including the lack of well-trained police to conduct productive investigations, an overwhelming number of complaints that prosecutors were unable to address, and a crisis in security that made Hondurans prisoners in their homes and offices. He noted an absence of public trust in his institution, due in part to the inability of prosecutors to respond to nearly two-thirds of the complaints filed. Without denying the pervasiveness in Honduras of both large- and small-scale corruption, he bemoaned the use of corruption charges to smear political and personal opponents, a practice which clogged an already overtaxed system. His efforts to improve cooperation between prosecutors, the Security Ministry/police, and the courts had had some success, and he hoped the improvements made would be institutionalized and outlast his departure in March 2009. The AG also stated he had attempted to reach out to civil society actors to build public confidence in the legal and judicial system. He noted that the terms of the Supreme Court, the Attorney General, and the Deputy Attorney General were of different lengths to avoid a complete changeover in any year, but that once every 20 years, such a changeover occurred; 2009 is such a year.

14. (C) The AG discussed the Public Ministry's strong cooperation with the USG, highlighting recent success in smashing a synthetic drug production and distribution ring that relied heavily on unregulated imports of precursor chemicals. Working with Embassy law enforcement officials, the Public Ministry changed the regulations governing such imports, and almost immediately after, prosecutors acted

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against the ring. He noted that FBI assistance had been requested in the investigation of the recent murder of a DOD civilian in Comayagua and that his task force prosecutors had already begun working on the case. He said that his plan for a special prosecutor for crimes against humanity⁸ was an effort to improve his ministry's ability to prosecute such crimes.

15. (C) Comment: The Ambassador continued to bring his message of strengthening U.S. cooperation and support to the judicial/law enforcement arm of the Honduran government. His offer of continued technical, investigative and other support was well-received. For his part, the AG seemed comfortable in his position, having survived recent calls for his ouster from disgruntled prosecutors (who were supported by President Zelaya). He shared with the Ambassador the optimism for Honduras that comes from watching the country move from impunity for the powerful to a flawed but functional justice system over decades, but agreed that the Ministry faced the huge challenge of popular disillusionment that the strides made were simply not enough.

LLORENS